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SUBJECT: OSCE PERMANENT COUNCIL: RESPONSE TO
REPRESENTATIVE ON THE FREEDOM OF THE MEDIA HARASZTI

11. (U) Post is authorized to present the following statement
at the July 3rd Permanent Council meeting in Vienna.

Begin text:

Thank you, Mr. Chairman.

And thank you, Mr. Haraszti, for your report, which we believe merits very serious consideration by the participating States. You quite rightly note two trends that are greatly disturbing for the cause of freedom of expression. These trends run through much of the discussion in your report of individual country circumstances.

The first and most salient trend involves actual violence against media workers and threats against them -- and, indeed, in some instances against their family members as well. Each of our governments has a solemn responsibility to protect journalists. This goes beyond simply restraining state security forces and regime supporters from criminal action against those who publish or broadcast information that those elements would seek to keep out of the public spotlight. It involves creating a climate of physical security and respect for independent opinion that is like oxygen for the existence of media freedom. As you point out, Mr. Haraszti, violence against journalists is not a crime as usual,⁸ precisely because it is meant to undermine a basic institution of democracy -- the free press.

The second disturbing trend is undue restriction of free speech and reporting. This takes many forms. The worst one is the mistreatment, harassment and imprisonment of journalists on trumped up charges of personal misbehavior or prosecution for criminal libel, which are used to silence writers who run afoul of government officials. As you have noted many times, libel law in the criminal code poses a serious risk, because it can easily be misused to punish and intimidate media. The United States recognizes the good work that you and your staff have done campaigning against these abuses. We commend the Office of the Representative on Freedom of the Media for its unrelenting efforts both in helping states reform laws and practices and in holding a spotlight on each case of abuse.

Let us remember that the Representative on Freedom of the Media holds a unique place in international institutions. Your report bears witness to the broad nature of your mandate as an unrestricted advocate for free media. Your office's persistent call for the righting of wrongs and for legislative reforms in many of our participating States, including adoption of media shield legislation at the federal level in my own country, attests to your independence of judgment, and adds weight to your findings.

Mr. Chairman, the United States hopes that each country cited for concerns about safety of journalists and elemental conditions for freedom of expression will address the findings in this report and implement the necessary changes to allow free media to develop and thrive. The cases cited in this report are well-documented, and Mr. Haraszti's findings

deserve careful consideration.

The history of our OSCE region teaches that mutual security without open, free-thinking societies is illusory. Only with free media can civil society blossom and democratic, successful governance be sustained. Let us not forget that our common vision of this essential truth is what underlies the mandate of Mr. Haraszti's office.

Thank you, Mr. Chairman.
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